

## WOULD HAVE GOOD FAITH OBSERVED

Taft Is Urged to Bring About Compliance With Favored Nation Clause.

## PUBLISHERS TAKE ACTION

They Seek Free Importation of Pulp Wood From Other Countries.

New York, November 12.—The American Newspaper Publishing Association, through John Norris, chairman of its committee on paper, it was announced here today, has sent a letter to President Taft urging that the government observe good faith in the observance of the favored nation clause of twenty-eight treaties with respect to the free importation of pulp and paper when made from unrestricted wood. The letter recites substantially as follows:

"The favored nation clause of the favored nation clause has arisen because of the passage of section 2 of the act of July 26, 1911, which granted a special privilege to Canada in the matter of free pulp and paper, and which did not depend upon Canadian concurrence, becoming effective immediately upon the passage of the act. It was a separate and independent tariff provision."

"Canada's repudiation of reciprocity and the continued importation of Canadian pulps and paper free of duty since September 21, 1911, the date of the Canadian election, put the United States in position where it was granted a special privilege to Canada, and it became obligated by its twenty-eight treaties, to give equal treatment immediately to the other nations. The question was thrust upon the Treasury Department for its solution."

"First, by importers through the American Wood Pulp Importers' Association and others who objected to payment of duty under such conditions."

"Second, by requests of customs collectors for reductions."

"Third, by inquiries from representatives of the favored nations which claimed equivalent treatment."

"Fourth, by paper users through the American Newspaper Publishers' Association."

"Mr. Norris says there are indications that American paper-makers are seeking to delay the execution of the matter by urging reference of the matter to the courts for determination. He points out a precedent for executive action in 1895, when the administration, through instructions issued by the Secretary of the Treasury, ordered its favored nation clause, under its rates on wines and spirits that France enjoyed under its reciprocity treaty of 1895. The text of the favored nation clause reads: 'If either party shall hereafter grant to any other nation any particular privilege in navigation or commerce it shall immediately become common to the other party freely where it is freely granted to such nation, or on yielding the same conditional.'"

"Mr. Norris urges that 'immediately,' as used in that clause, means in good faith what it says and not after a terminable delay in the courts or Congress has been subsequently passed upon the proposition. He claims that the later law repealed so much of the Payne law as was repugnant to it and with the twenty-eight treaties which are the supreme law of the land. The letter says: 'One may well inquire what is the use of asking other nations to enter upon new treaty negotiations with the United States if the government fails to recognize the integrity of twenty-eight treaties it has made? Every head of the State Department who has formally discussed this matter has recognized the assumption that the government favors are completely covered in the favored nation clauses of our treaties. All of the favored nations are entitled to the same advantages accorded to the Canadian under the conditions of the specific conditions of the enactment of July 26, 1911 and give to the United States as much or as little equivalent as Canada does. They want identical terms. What excuse can be offered for withholding from other nations a voluntary special privilege which was granted to Canada as an inducement to some of its provinces to treat the United States as well as do the favored nations? The conditions precedent applying to free Canadian pulp and paper is respected by all the favored nations. They fairly ask why Canada should be put upon a footing more favored than any other nation. Some of them buy more from us than Canada does; some of them sell more to us than Canada does. Why, then, delay in treating them according to law?'"

"It is probable that this matter will be considered when the President, the Secretary of State and Secretary of the Treasury reach Washington."

## \$200,000 CHURCH FOR VILLAGE OF 200 SOULS

But It Is the Centre of an Extensive and Rich Russian Settlement in Kansas.

Los Angeles, November 12.—The new church of St. Fidelis, said to be the largest church building in Kansas, has been dedicated by Bishop John F. Cunningham.

Passengers on the Union Pacific train passing through this little village of 200 people, marvel at the size of it, and wonder how it was possible for such a small place to build the \$200,000 church. The answer is that while the village itself is small, the church's congregation extends beyond the confines of the village, and even into surrounding counties.

Victoria is the center of a big Russian Catholic settlement, and it is an uncommon thing for members of the faith to drive twenty-five miles to attend mass Sunday morning. Nearly all the parishioners are wealthy, and

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many of them drive to church in touring cars. The new church has been three years under construction. It is of hard rock, from a quarry eight miles away. The trimmings are of Bedford stone and the columns of Vermont granite. Much of the native stone was taken from the ground from the farms of members and hauled to the church site free. A great deal of work of construction was done by the members, and considerable of the building material was furnished and hauled by the parishioners.

The length of the building is 220 feet; inner width, 64 feet; inner width in transept, 36 feet; height of nave, 44 feet; height of aisles, 25 feet; height of towers, 140 feet.

## THIEVES RAISE \$5.20: PAY FINE OF A JACKY

"We Won't Have Much Use for Coin," They Tell the Penitentiary.

Boston, November 12.—In the detention pen of the criminal court yesterday, Jack Dawson, man-of-warman, sat dejected, with a jail sentence in prospect, because he lacked \$5 to pay a fine for having been too boisterous. To a convicted thief in the pen with him he confided his troubles, adding: "We won't have much use for coin for some months to come, so take the stuff and welcome." The sailor paid his fine and was discharged. His benefactors went to jail.

## WICKERSHAM AT ATLANTA

Looking at Federal Jail and Says Vini Has Nothing to Do With Morse.

Atlanta, Ga., November 12.—Attorney-General Wickersham arrived here from Washington at noon yesterday and immediately went to the United States penitentiary, where he spent the afternoon inspecting the convicts and viewing the recent improvements. The Attorney-General seemed especially pleased with the reform methods introduced by Warden Moyer in the management of the convicts. He will remain in Atlanta today, and this afternoon will attend a concert at the city hall. Mr. Wickersham said he had just returned from an inspection of the Federal penitentiary at Leavenworth, Kan., and had his plans arranged to visit the other penal institutions of the government.

Mr. Wickersham was asked if this visit had any connection with the case of Charles W. Morse, the New York banker, who is serving a sentence in the Atlanta prison, and who has asked and been refused a pardon. He replied that his visit had nothing whatever to do with the Morse case.

"We have finished with the Morse case for the present at least," said the Attorney-General.

## LEAVES FOR ROME

Mgr. Diomed Falconio Bids Farewell to Washington.

Washington, D. C., November 12.—Mgr. Diomed Falconio to-day bade farewell to the capital of the United States, where for nine years he has represented Pope Pius X. He left for Rome, where he is to be received by the pope, on Tuesday. He is accompanied by the steamer Kron Prinzess Cecelia for Rome, to be raised formally to the rank of a cardinal at the consistory November 27. Many of the prominent Catholic clergy and several hundred laymen gathered at the station here to pay him an affectionate adieu.

## SQUADRON WILL ATTACK

Mime Naval Warfare to Be Fought off Virginia Coast.

Newport, R. I., November 12.—The first, third and fifth divisions of the North Atlantic fleet of battleships will leave Newport next Thursday, headed for the Virginia coast, off which they will assume the guise of an attacking squadron of the southern and fourth divisions of the North Atlantic fleet acting as the defensive force. The two latter divisions are now in the waters adjacent to Hampton Roads, undergoing practice manoeuvres.

## MRS. VERMILY IS BETTER

Probably Will Recover From Self-Administered Dose of Poison.

Chicago, Ill., November 12.—Mrs. Louise Vermilya, charged with the murder by poisoning of Policeman Arthur Bismont, and suspected in connection with a number of other deaths among members of her household, was in a much improved condition in the hospital of the county jail today.

Her physicians said she now probably was out of danger of dying of poison, which she administered to herself while under police surveillance.

## TRIAL OF PACKERS WILL BEGIN TO-DAY

First Criminal Prosecution of Individuals Under Sherman Act.

Chicago, Ill., November 12.—After more than nine years of investigation by the government, the first criminal prosecution of individual meat-packers under the Sherman antitrust act will begin here to-morrow before Judge George A. Carpenter in the United States District Court.

Ten Chicago packers, heads of the packing industry, will be placed on trial, charged with monopolizing and restraining interstate trade in fresh meats. The possible penalty, if they be found guilty, is a fine of \$5,000, one year in the county jail, or both.

The defendants are: Louis F. Swift, president of Swift & Co., and director of the National Packing Company.

Edward F. Swift, vice-president of Swift & Co., and director of the National Packing Company.

Charles H. Swift, director of Swift & Co.

Edward Tilden, president of the National Packing Company.

J. Ogden Armour, president of Armour & Co.

Arthur Meeker, general manager for Armour & Co.

Edward Morris, president of Morris & Co.

Francis A. Fowler, director of Swift & Co.

Thomas J. Connors, superintendent of Armour & Co.

Louis Heyman, manager for Morris & Co.

A special panel of 150 men has been summoned for the jury. Hundreds of witnesses have been called, and it is expected that the trial will proceed for several months. All technicalities have been swept aside, the defendants have pleaded not guilty, and all that remains is the trial.

Most of the government's efforts will be directed to show the purpose of the organization of the National Packing Company. The government charges that through this organization the packers were able to control the meat industry.

United States Senator W. S. Kenyon will be associated as special counsel with United States District Attorney James H. Wilkinson in the prosecution. Pierce Butler, of St. Paul; Barton Corneau, of Washington; James Sheehan and Elwood Goodman, chief assistant district attorney, will aid in the prosecution.

## PASTOR MET HIS WIFE SECRETLY, HE CHARGES

Chester Minister Wrote "Dear Sweet Girl" Note to Her Husband.

Trenton, N. J., November 12.—The name of the Rev. Egidius Kellmeyer, now of Chester, Pa., but formerly of Titusville, N. J., plays a prominent part in the answer filed in the Court of Chancery by William F. Van Arsdale, of this city, to the suit for maintenance and support instituted by his wife, Mary E. Van Arsdale. The Rev. Mr. Kellmeyer, who is a Presbyterian minister, left these parts about a year ago.

In his answering affidavits Mr. Van Arsdale claims that he found a torn letter which, when he started to place it together, caused his wife to struggle with him. The letter was dated from Pitman Grove, July 26, 1907, and is said to have read as follows:

"My Dear Sweet Girl—I would like to arrange a meeting in Philadelphia next week, dearie. I will meet you at Broad Street Station or the Reading Terminal, whichever suits best. Dearie, I would like to be with you."

It was signed "E. Kellmeyer."

The husband charged that the wife and the minister had clandestine meetings in Titusville.

## KILLS HIS AGED WIFE

Shoots Her as She Lies Asleep in Her Bed.

Macon, Ga., November 12.—Mrs. Lizzie McCall, aged seventy years, was shot and killed by her husband, Roger McCall, aged seventy-one years, while she lay asleep in her bed at her home here this evening. McCall then barricaded himself in his bedroom, and when the sheriff broke down the door he was found lying on the bed sound asleep, with a shotgun by his side. On the floor lay a half-pint bottle which had contained whiskey. McCall told the sheriff that after he fired the shot he drank the contents of the bottle and immediately went to sleep.

The old man declines to make a statement, and no cause for the murder is known.

## CONSTABLE IS KILLED

His Murder in the Eighteenth in as Many Months.

Birmingham, Ala., November 12.—The eighteenth murder within a little more than eight months was committed at Lewisburg, Ala., to-night, when Constable W. W. Ellard was killed and his eight-year-old son, Ralph, was shot in the thigh. The boy said the shooting was done by Tom Hagan and Bob Payne. Hagan later appeared at the county jail and gave himself up. The cause of the trouble is not known.

## DEMONSTRATION BY ARABS.

But November in Face of Furious Fire From Italians.

Tripoli, November 12.—Thirteen hundred Arabs at 6 o'clock this morning made a demonstration before Mesri and Boumelina, but withdrew shortly in the face of a furious rifle and artillery fire from the Italian trenches and warships.

Italy's Plans. Paris, November 12.—The Temps Rome correspondent learns from what he says is an authoritative source that Italy will make a demonstration of big scale in the Aegean Sea, and along the Turkish-Asiatic coast to-morrow.

## SOUTH IS GETTING TOUCH OF WINTER

(Continued From First Page.)

serious damage to shipping has been reported. At Bay St. Paul, Miss., two schooners were driven in shore, and perhaps damaged.

Cold at Atlanta. Atlanta, Ga., November 12.—With the thermometer standing at 7 o'clock to-night, a drop of 37 degrees since 7 A. M., Atlanta and the surrounding territory are experiencing the first real touch of winter. Early in the day the wind blew at the rate of forty-eight miles an hour and accompanied a cold rain.

Sugar Cane Damaged. Baton Rouge, La., November 12.—The cold wave of early to-day did some damage to the sugar cane crop in this section, and the cold north wind and the possibilities of a freeze to-night add complications to the situation. More than half of the sugar crop is still unharvested, and a freeze at this time will cause considerable loss to the planters in Central Louisiana.

Frost Warning Issued. Savannah, Ga., November 12.—Steadily falling all day, the thermometer at 9 o'clock to-night was 56, with the probability of going much lower. A "frost warning" was issued, but a killing frost is not expected during the night.

Freeze Is Expected. Columbia, S. C., November 12.—At 9 o'clock the thermometer stood at 45. Freezing weather is expected to-morrow. Frost to-night will depend upon shifts of the wind.

A Cold Nor'wester. Pensacola, Fla., November 12.—Pensacola and West Florida were visited by a cold nor'wester between 7 and 8 o'clock this morning, and it is believed there has been considerable property damage on the islands and along the lower coast. The wind blew at the rate of approximately seventy miles an hour, and a drop of 20 degrees in temperature was recorded within a few minutes. Frost is predicted throughout the section to-night.

The gale continued for two hours here, causing some damage to smaller craft in the harbor.

A look through powerful telescopes at Santa Rosa island failed to reveal the presence of one of the amusement pavilions, and it is believed the gale carried it away. The wind continued strong this afternoon, and it was impossible to open the larger harbor tugs to make the trip across to the island.

## PULLS OUT HIS FINGER IN DUEL OF STRENGTH

Pittston Miner Loses Digit and Wager of Ice Cream Soda.

Wilkesbarre, Pa., November 12.—Frank Polak, a strong man of Pittston, to-day pulled the right forefinger of Joseph Dusek out by the roots in a tug of war with fingers locked for an ice cream soda.

Polak, a miner and both unusually strong, this morning, in discussing their strength, the stronger man to win. They locked their right forefingers, braced themselves and pulled.

For several minutes the men kept pulling and twisting, without either gaining much, and then the terrific strain parted the tendons and muscles of Dusek's forefinger, and it came out at the second joint.

Dusek was game, and, despite the pain and loss of his finger, insisted on treating.

## PIGS CAUSE TURMOIL IN CHICAGO STREET

Saloon, Wagons and Other Things Wrecked When Police Charge "Enemy."

Chicago, November 12.—Twenty-five young pigs liberated from crates by Chicago boys, caused a riot in Claybourne Avenue yesterday. Patrol wagons filled with policemen charged the "enemy." Bullets flew thick and fast, and when the excitement had subsided the following among others things happened:

One saloon wrecked, ten persons suffered sprained legs.

A newspaper automobile delivery wagon damaged.

Twelve pigs killed.

Several plate glass windows wrecked.

Many women and children in hysterics.

Numerous pedestrians suffered from bruises by the pigs upsetting them.

One wagon demolished when horse ran away.

Dodging the pursuit of the pigs several of them took a notion to leap from the tops of the wagons and immediately followed among the wreckage.

The pigs that escaped slaughter ran pell-mell in all directions.

## NURSE SHOTS DOCTOR

On His Return From Honey-moon—Says He Promised to Wed Her.

Mariposa, Cal., November 12.—Dr. F. L. Wright, county physician of Mariposa a year ago, and a prominent physician in Oakland, lies at his home here in a precarious condition as the result of a gunshot wound inflicted by Miss Elsie Frank, an Oakland nurse.

Miss Frank is in jail. Dr. Wright was divorced in Oakland a year ago, and later Miss Frank became a nurse in his office. She charges that he promised to marry her. A month ago he married Miss Georgia Ellingham, and on the return from their honeymoon Miss Frank shot Wright.

## MAINE EVIDENCE COMPLETE

No Doubt Now That Inspection Board Will Recognize Outside Explosion.

Havana, November 12.—The work on the wreck of the Maine reveals more and more evidence of an outside explosion, and it is safe to predict that the Board of Inspection, which is coming shortly, will so find.

The success of the cofferdam is complete, and Major Ferguson, the army engineer in charge of the work, now has his men at work in the midst of a great hole forty-five feet deep.

The amount of leakage is insignificant, and the cofferdam appears to be as steady as Gibraltar. All data necessary to the work of the board has been procured.

Phillips Lost to Havana. Havana, November 12.—The Havana baseball team defeated Philadelphia Nationals to-day by a score of 5 to 2.

## AVIATOR RODGERS IS BADLY INJURED

Falls With Aeroplane 125 Feet on Last Leg of His Long Journey.

Los Angeles, Cal., November 12.—In an attempted flight to-day from Pasadena to Long Beach, officially to the Atlantic-Pacific flight, Aviator R. Rodgers met with the worst of his career, falling with his machine 125 feet into a plowed field, half way between the two cities and within sight of his destination.

Although no bones were broken, Rodgers was rendered unconscious. He was badly shaken, his face scratched and torn, his hands were burned by his motor and he complains of severe pains in his side. His machine was completely wrecked.

Rodgers left Tournament Park, at Pasadena, at 3:34, expecting to fly the twenty-three miles to the beach in a few minutes. He became confused after taking the air and after circling aimlessly for half an hour, came down at Covina Junction, a mile further from Long Beach than the point from which he started. He took the train for Long Beach, and after getting his bearings, was following the tracks of the Pacific electric railway when the accident occurred. This was in an isolated section, and the first learned of his fall by those interested, was when an automobilist who had seen Rodgers tumble and dragged him out from under the wings of his wrecked biplane, carried him into the office of a physician at Compton, two miles away. Rodgers was still unconscious when Mrs. Rodgers and her mother, waiting his arrival at Long Beach, reached Compton. Later he partly regained his senses and was put aboard a special train and taken to his hotel at Pasadena. After an examination his physician announced that he would suffer no permanent injury.

While the cause of the accident will not be known until Rodgers recovers sufficiently to explain it, it is believed that a control wire snapped, inverting the rudder of his machine and heading its nose downward at an angle of more than forty-five degrees.

## NAVY SAILORS DISCIPLINED

500 on the Vermont Deprived of Shore Leave Because of Franks at Newport.

Newport, R. I., November 12.—There will be no shore leave for the 500 enlisted men while the battleship Vermont is in Newport waters, or, at least, until the men guilty of raising havoc on board the steamer Squantum early Wednesday morning become known.

The action of the men was called to the attention of Admiral Osterhaus, who caused the order of "no shore leave" to be signaled to the warships yesterday, when every enlisted man of the three divisions of the fleet had his shore leave cut off. But to-day, after further investigation, Admiral Osterhaus permitted the commanding officers of the battleships Connecticut, North Dakota, Michigan, Louisiana, South Carolina and New Hampshire, with the cruisers Washington, North Carolina and Salem and the tender Yankton to give shore leave to members of their crews. The Vermont, however, was not included.

If the men guilty of misconduct are discovered Captain Walter McLean, who commands the Vermont, will notify Admiral Corbitt, and the men of the other battleships, some of the grime against the Vermont's men for having caused them to forfeit shore leave yesterday.

## HOKE SMITH BUSY PARDONING

Says One-Tenth of Georgia Prisoners Should Be Free.

Atlanta, Ga., November 12.—Fully 500 of the 5,000 convicts in the Georgia Penitentiary ought to be released, according to Governor Hoke Smith. The Governor says that some of the convicts should be freed, in his opinion, for degrees of crime not warranted by the evidence; others on perjured testimony of guilty parties, who themselves escaped, and others because they did not have proper legal representation. On the eve of retirement to become United States Senator, Governor Smith is using the pardoning power freely, many negro convicts being released.

## WILL CONVENE IN CHICAGO

Republicans to Name Presidential Candidate There, Says MacVeagh.

Chicago, November 11.—Franklin MacVeagh, Secretary of the Treasury, who was in Chicago yesterday for the purpose of attending a series of meetings to be held in conjunction with the National Monetary conference, told newspaper men and friends here that it was practically decided that the next Republican National Convention would be held in this city.

Frederic W. Upham, who raised most of the Republican campaign funds in the West four years ago, was with him at the Blackstone Hotel when Secretary MacVeagh was questioned about the national convention.

"We can guarantee that to Chicago," said Mr. MacVeagh.

"Chicago was it and that settles it," Mr. Upham declared. "That was the only thing the leaders wanted to know."

## Children Cry FOR FLETCHER'S CASTORIA

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## SCORE OF DEATHS CAUSED BY STORM

(Continued From First Page.)

boy, Albert, and a tramp were in the barn. The tramp, who was not injured, says Mr. Schmat was blown through the barn door. His body was found in the hogyard. The boy was buried in the debris and received fatal injuries.

Mrs. Elizabeth Froede, a bride of a few months, was instantly killed when the house was carried away. Her husband stood in the barn and saw the house carried away, and discovered the body of his bride after the cyclone passed. The Froedes lived near Orfordville.

Leo Lentz, sixteen years old, was blown from a new barn he was helping to build.

Finds Home in Itulas. Near Milton there was one death, Helen Austin, five years old, daughter of Alfred Austin. Mrs. Austin was seriously injured, and it was thought for a time she would die. Her sister, Miss Elizabeth Hume, was also badly hurt. Helen's sister, Florence, was badly bruised and her collarbone was broken. Austin was in the field. When he reached home he found nothing but sticks and stones of what was once a fine country home.

Many freakish incidents were connected with the cyclone. At the Douglas farm, a buggy was carried into a tree and bent about the trunk, where it hung, the rim of one hind wheel encircling the front axle. At the home of William Little, a six by six timber was driven away from a cow. At the Schmidt farm a hog was cut in two by a blow. At the same place a cook stove was carried to an adjoining field, where it was deposited right side up, apparently undamaged.

Seven Men Missing. Chicago, November 12.—Seven men to-night are reported missing as a result of last night's storm in Lake Michigan. They left Chicago Saturday morning for a fishing trip in a gas-cooled motor launch. The launch was last reported passing the lighthouse station at Evanston, Ill., at 10 A. M. Saturday.

Springfield, Ill., November 12.—Two were killed and seven seriously injured in a storm which struck Easton, Ill., last night, tearing away telegraph and telephone wires and leaving the city isolated, and the tragedy of the storm untold to the world until to-night. The dead:

Infant child of Mr. and Mrs. James Prater, body found 100 yards from the home, which was demolished.

Mrs. Alice Henninger, seventy-five years old; died of fright when her home collapsed.

Adrift in Bay. Mobile, Ala., November 12.—Sixteen men clinging to beacons in Mobile Bay, after being forced to desert from boats from which they were fishing, were rescued by a tug after several hours' exposure to today's storm. A number of men were seen in perilous situations, but were too distant in shallow water to make assistance possible. They may be rescued by to-morrow.

One apparently disabled launch, with several women on board, drifted past the beacons marking the entrance to the bay, and the launch was seen to be in bad shape, and no report has been made of it since.

Several boating parties caught in the hurricane were obliged to get to the beacons marking the ships to their boats either swamping or going ashore. Others tried to make the shore, but with what success it will be impossible to determine until reports come in from points along both shores of the bay.

At Fort Morgan, the waves dashed onto the wharf, and made landing by the army quartermaster's boat impossible. Two destroyers, the Oscar J. and a smack, anchored inside during the gale, and the Mallory liner Encheta entered the bay at 7:30 to-night after a terrifying experience with gigantic waves in the Gulf. The storm struck the Encheta at 11:30, and she was unable to make headway. She was breaking clear over the decks. She anchored off Fort Morgan, and will remain there until daylight.

The official maximum wind velocity at 7:40 A. M. was forty-four miles an hour. To-night the gale has moderated to twenty miles from the north. The temperature at 10 P. M. was 42 degrees.

## Barge Disappears.